

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension of the License to)	NO. CR 2014-00440
Conduct Gambling Activities of:)	
)	
Tia R. George)	NOTICE OF ADMINISTRATIVE
Wenatchee, Washington,)	CHARGES AND OPPORTUNITY FOR
)	AN ADJUDICATIVE PROCEEDING
Licensee.)	

I.

The Washington State Gambling Commission issued Tia R. George the following license: Number 68-07820, authorizing Card Room Employee activity with Papas Casino Restaurant & Lounge in Moses Lake. The license expires on March 23, 2015, and was issued subject to Ms. George's compliance with state gambling laws and rules.

II.

Mark Harris, Assistant Director of the Washington State Gambling Commission, charges the licensee with the following violations of Chapter 9.46 RCW, and WAC Title 230.

SUMMARY:

Tia R. George was issued a Notice of Violation and Settlement (NOVAS)¹ for failing to accurately report her tips. Ms. George failed to timely pay the NOVAS.

FACTS:

1. In March of 2013, the Gambling Commission began an emphasis program to address issues noted at house-banked card rooms concerning the lack of accounting and accurately recording card-room tip income.
2. In June 2013, a Commission Special Agent (agent) performed a tip review at the Buzz Inn Casino. After reviewing the surveillance video for one gaming day of tip reporting, the agent noted that Tia George significantly under-reported her tips.
3. Tia George cashed out \$95.00 in tips for June 14, 2013; however, the Buzz Inn Casino's labor report showed that Ms. George did not report any tips that day.

¹ NOVAS- Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

4. The agent spoke with Alycia Williams, Accounting Manager of the Buzz Inn Casino. Ms. Williams said that on June 14, 2013, Ms. George forgot to clock out. Ms. Williams had to adjust the labor report by entering the amount of tips Ms. George told her she earned for the day, which Ms. George said was \$52.00. This amount was under-reported by \$43.00.
5. On July 5, 2013, Tia George was issued a NOVAS for \$200 for the violation of failure to accurately report tips, and her payment was due two weeks from that date. The agent made a follow-up phone call to Ms. George on August 6, 2013, inquiring about the NOVAS, which still had not been paid. Ms. George said she was no longer working at the Buzz Inn and had no plans to return to the card room industry. The agent asked the licensee to have the NOVAS paid by August 16, 2013, and Ms. George indicated that she would do so.
6. On February 25, 2014, the agent, while performing compliance work at Papa's Casino, saw Tia George working in the card room pit. During further review, the agent determined that her licensing file had not been flagged for the unpaid fine.
7. On April 10, 2006, Tia George signed Buzz Inn Casino's tips reporting form, which is part of its internal controls. The form states: "The law requires you to report 100% of your tips. You must report your tips to your Employer. You will input the amount of tips made daily on the time clock when you clock out each night." Ms. George violated internal controls by under-reporting her tips, failed to comply with local state and federal rules and laws, and failed to pay the NOVAS issued to her on July 5, 2013.

VIOLATIONS:

1) RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or certified employee, or any person with any interest therein:

(The following subsection applies.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, certified employee, or anyone holding a substantial interest in the applicant's or certified employee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

3) WAC 230-15-425 Internal controls

(The following subsection applies.)

(2) Licensed card room employees must follow the internal control procedures for their individual functions.

4) WAC 230-15-475 Tips from players and patrons to card room employees

(The following subsection applies.)

(6) Employees must...

(d) accurately report all tips to their employer as described in the licensee's internal controls.

Tia R. George failed to comply with internal control procedures by under-reporting her tips by approximately \$43 on June 14, 2013, in violation of WAC 230-15-425 and WAC 230-15-475. As a result, she has demonstrated willful disregard for complying with Commission rules, and there are grounds to suspend Tia R. George's license based on RCW 9.46.075(1), and WAC 230-03-085(1) and (3).

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

You have the right to a hearing. To have a hearing, or to settle the case, the Gambling Commission must receive the hearing request form back from you within 23 days. After we receive this form, we will call you about settlement options. If you do not return the form on time, your license may be suspended for 30 days and you will not be able to work. (RCW 34.05.440.)

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Mark Harris, being first duly sworn on oath, deposes and says: He has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents, and believes the same to be true, and that he is the duly appointed and qualified Assistant Director of the Washington State Gambling Commission and in that capacity has executed these Charges.

Date 4/18/14

Mark Harris
MARK HARRIS, ASSISTANT DIRECTOR

STATE OF WASHINGTON)
)
COUNTY OF THURSTON)

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, property addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 18 day of April, 2014
Maureen Prebitt